

Remarks

1. Summary of Office Action

In the Office Action dated April 2, 2004, the Examiner rejected claims 2, 16-17, 31, 32, and 34 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner also rejected claims 1-8, 10, 12, 17-18, 21-22, 24, 27, and 33-34 under 35 U.S.C. § 102(e) as being anticipated by Spruyt, U.S. patent no. 6,088,386. The Examiner also rejected claims 9, 11, 13-15, 19-20, and 25-26 under 35 U.S.C. § 103(a) as being unpatentable over Spruyt in view of Foley, U. S. patent no. 6,069,899. Additionally, the Examiner indicated that claims 16, 23, and 28-32 would be allowable if rewritten to overcome rejections under 35 U.S.C. 112 second paragraph and to include all limitations of the base claim and all intervening claims.

The Examiner also made a number of objections. The disclosure was objected to because of number of informalities and typos. Figures 1-7 and 11 were objected to because they did not provide a brief descriptive label for each numbered block. Claims 10-12 and 22-23 were objected to because of a number of formalities.

2. Summary of Specification and Drawing Amendments

The specification has been amended to incorporate the changes suggested by the Examiner in the Office Action. The specification is now believed to be in condition so that the application may be allowed.

Corrections have been made to the drawings as suggested by the Examiner. Corrected drawings have been submitted with this response to the Office Action.

3. Summary of Claim Amendments

Claims 10, 11, 12, 22, 24-26, and 28-33 have been amended. Claims 1-9, 16, 18-21, 23, 27, and 34 have been cancelled. New claims 35-38 have been added. Claims 10-15, 17, 22, 24-26, 28-33, and 35-38 remain in the application. Of the remaining claims, claims 10, 12, 22, and 28-32 are independent.

Claims 10-12, 22, and 24-33 have been amended to address the objections made by the Examiner.

Claims 2, 16-17, 31, 32, and 34 were objected to under 35 U.S.C. 112, second paragraph. Claims 2 and 16 have been cancelled. Claims 17, 31, 32, and 34 have been amended to address these objections. They are now believed to be in condition for allowance.

Applicants wish to thank the Examiner for the notice that a number of claims would be allowed if rewritten in independent form. The following claim amendments have been made to place the claims in condition for allowance in accordance with the Examiner's notice.

Claim 10 has been amended so that the master DMT transceiver remote unit now provides a local area network timing reference to at least one other DMT transceiver remote unit when the DMT transceiver central office unit is not available. This change was made so that claim 10 includes the feature of original claim 23. Original claim 23 is to a DMT transceiver remote unit that is capable of communicating with a central office and at least one other DMT transceiver remote unit. The DMT transceiver remote unit includes a controller that allocates a set of local area network frequencies providing communication with the at least one other DMT receiver and provides a network timing reference when the central office is not available. As amended, the master DMT transceiver remote unit provides the same functionality as the controller of the DMT transceiver remote unit of original claim 23 in providing a timing reference when the central office is not available. The Examiner indicated that claim 23 was

allowable. Hence claim 10 as amended should also be allowable. Claim 11 is dependent on claim 10 so for at least this reason it should be allowed.

Claim 12 has been amended to include all of the elements of dependant claim 16 which the Examiner has indicated would be allowable if rewritten in independent form. Therefore independent claim 12 and dependant claims 13-15, and 17 are in condition for allowance.

Claim 22 has been amended to include all the elements of original dependent claim 23 which the Examiner has indicated would be allowable if rewritten in independent form. Therefore independent claim 22 and dependent claims 24-26 are in condition for allowance.

Claims 28-32 have been rewritten in independent form. The Examiner indicated that original claims 28-32 would be allowable if rewritten in independent form so claims 28-32 are in condition for allowance.

Claim 33 has been amended so that it now depends from independent claim 28. Since claim 28 is now allowable, for at least this reason claim 33 should also be allowable.

New claims 35-38 have been added. These claims depend from claims 29-32 respectively. Since claims 29-32 are allowable, for at least this reason claims 35-38 should be allowable.


4. Conclusion

For the reasons set forth above, Applicant submits that claims 10-15, 17, 22, 24-26, 28-33, and 35-38 are in condition for allowance. Therefore, Applicant respectfully requests favorable reconsideration and allowance.

Respectfully submitted,

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